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TELECOPY COVER SHEET

TO: EXAMINER: ULA RUDDOCK - ART UNIT: 1771

CLIENT NUMBER: 64908

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FROM: PAUL J. DITMYER, ESQ.

DATE: October 22, 2002

NUMBER OF PAGES (INCLUDING COVER SHEET): 18

COMMENTS/INSTRUCTIONS:

Re: U.S. Patent Application Serial No. 09/680,721

Please see attached amendment.

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Case No. 64908**DIRECTOR, U.S. PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231**In Re Application of: **GREGG ET AL.**Serial No.: **09/680,721**Filed: **10/6/00**For: **BACKERBOARD SHEETS INCLUDING AERATED CONCRETE**

Sir:

Transmitted herewith is an amendment in the above-identified application.

☐ Small entity status of this application under 37 CFR § 1.27 has been established by a verified statement previously submitted

☐ A verified statement to establish small entity status under 37 CFR § 1.27 is enclosed.

☐ No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)		SMALL ENTITY			LARGE ENTITY	
FOR:	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	FEE		RATE	FEE
TOTAL CLAIMS	37	53	0		X 9	\$		X 18	\$
INDEPT CLAIMS	4	4	0		X 42	\$		X 84	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ 135	\$		+ 270	
					TOTAL ADD'L FEE			TOTAL ADD'L FEE	\$

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For: IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ The Commissioner is hereby authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.

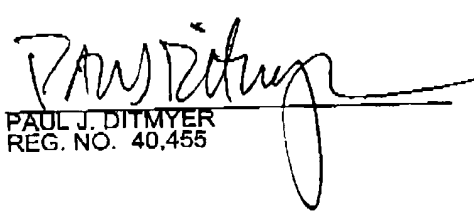
☒ PLEASE ADDRESS ALL CORRESPONDENCE TO ATTORNEY OF RECORD: CHRISTOPHER F. REGAN

☒ Please associate this application with Customer No. 27975.

**27975**

PATENT TRADEMARK OFFICE

October 22, 2002


 PAUL J. DITMYER
 REG. NO. 40,455

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
GREGG ET AL.

Serial No. 09/680,721

Filing Date: OCTOBER 6, 2000

For: BACKERBOARD SHEET INCLUDING
AERATED CONCRETE CORE

)
)
) Examiner: U. Ruddock
) Art Unit 1771
)
)
)

AMENDMENT

Director, U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

Responsive to the Office Action of July 22, 2002,
please enter the amendments and consider the remarks set forth
below.

In the Claims:

Please amend the claims as follows (a clean copy of
all the pending claims is included here for the Examiner's
convenience).

1. (Amended) A backerboard sheet for moist areas
and comprising:
a core having opposing first and second major
surfaces;
said core comprising a monolithic body of autoclaved
aerated concrete; and
at least one moisture-resistant resin face layer on
at least one of the first and second major surfaces of said
core, said at least one moisture-resistant resin face layer
being substantially continuous and blocking moisture
penetration to said core.